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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.429 OF 2006
IN
INCOME TAX APPEAL (LOD) NO.202 OF 2006

The Commissioner of Income Tax ..Appellant.

V/s.

M/s.Radheshyam Poddar ..Respondent.

Mr.R.K.Sharma with P.S.Sahadevan for appellant.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 1ST OCTOBER, 2007.

P.C. :-

There is a delay of 251 days in preferring the appeal. There is affidavit of Mr.P.M. Girijavallabhan in support of the Motion. We have perused the said affidavit. The order of the I.T.A.T. is dated 13/12/2004. The appeal is filed on 8/2/2006. There is no explanation whatsoever for the delay except saying that it was beyond the control of the department. Considering the cause shown, in our opinion, it would not amount to sufficient cause. Hence Motion is dismissed.

(F.I.REBELL0, J.)

(J.P.DEVADHAR, J.)